



STATE OF WASHINGTON

## STATE BUILDING CODE COUNCIL

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### MINUTES STATE BUILDING CODE COUNCIL CONFERENCE CALL MEETING

**Date:** December 1, 2005

**Monitor Location:** 5<sup>th</sup> Floor Conference Room, Raad Building, Olympia

**Council Members Present:** John Neff, Chair; Peter DeVries, Vice Chair; Dave Baker; Rory Calhoun; Kristyn Clayton; Stephen George; Mari Hamasaki; Diane Hansen; Tom Kinsman; Terry Poe; Dale Wentworth

**Council Members Absent:** John Cochran, Neva Corkrum, Steve Mullet

**Visitors Present:** Steve Swarthout, Paul O'Connor, Joe Andre

**Staff Present:** Tim Nogler, Krista Braaksma, Sue Mathers

#### CALL TO ORDER

John Neff, Council Chair, called the meeting to order at 1 p.m. John welcomed everyone to the meeting. Introductions were made.

#### REVIEW AND APPROVE AGENDA

The agenda for today's meeting was reviewed and approved as written.

#### PUBLIC COMMENT ON ITEMS NOT COVERED BY THE AGENDA

None received.

## **RULEMAKING DECISION ON NIGHTCLUB LANGUAGE, WAC 51-50 & 51-54**

John said the Fire Protection Policy Board approved the rule that was tentatively adopted by the Council at its November 4 meeting without change.

### **Motion #1:**

**Diane Hansen moved the nightclub sprinkler rule for final approval. Peter DeVries seconded the motion. By roll call vote, the motion was unanimously adopted.**

Tom Kinsman asked for clarification of the effective date of the rule. John said it's July 1, 2006, as agreed at the November meeting. The rule will sit through the 2006 Legislative Session. John noted that education, between now and then, will be crucial.

## **ENERGY CODE EMERGENCY RULE FOR HVAC EFFICIENCY REQUIREMENTS**

Tim Nogler said HVAC efficiency requirements, adopted by the Council at the end of 2004 that became effective on July 1, 2005, are based on a standard that was subsequently changed, making Washington's requirements inconsistent with federal law. He said Council staff has been communicating with the Air Conditioning and Refrigeration Institute (ARI) and the U.S. Department of Energy, as well as working with the industry on this issue.

In an effort to make Washington's HVAC efficiency requirements compatible with federal law, staff developed and distributed a draft amendment. After reviewing it, Air Cold Supply in Portland recommends that the effective date for 13 SEER three-phase equipment five tons or less be 18 months after rulemaking.

Tim said further amendment was made today. In Table 14-1A, superscript **d**, which refers to a footnote, is moved from the "Size Category" column to the "Sub-Category or Rating Condition" column after the effective date of the 13 SEER. The amendment also deletes the "before January 23, 2006" reference to the 10 SEER efficiency. Thus the 13 SEER requirement applies to the date of manufacture for single-phase equipment manufactured after January 23, 2006. And the same changes are consistently made throughout Tables 14-1A and 14-1B.

Tom Kinsman asked if "10 SEER" was struck along with "before January 23, 2006." Tim answered no, the efficiency for three-phase equipment remains at 10 SEER.

Rory Calhoun asked if commercial equipment is exempt from the rule. Tim answered yes, the effect is to cover only residential.

Kristyn Clayton asked if everywhere "before January 23, 2006" appears in Table 14-1A, it's deleted. Tim answered yes. John said it's deleted in Tables 14-1A and 14-1B.

Tim noted that the second draft also deletes the rows regarding small duct high velocity systems. He said ARI and ASHRAE are in the process of deleting small duct, high-velocity systems from the table. Federal law allows manufacturers and states to apply for exceptions. Several manufacturers of high-velocity systems applied and were granted waivers by the U.S. Department of Energy.

## **Motion #2:**

**Kristyn Clayton moved adoption of the proposed, amended draft HVAC efficiency rule. Dave Baker seconded the motion. By roll call vote, the motion was unanimously adopted.**

## **STAFF REPORT**

Tim reported that the Council has gained a new staff person, Chuck Heath, who will begin on Monday. Chuck's background includes almost 30 years as a Fire Code Inspector with the City of Yakima.

Timing is excellent for Chuck to work on education of the nightclub/sprinkler issue. In addition to the fire code, Tim said Chuck will be involved in Existing Building Code SubTAG work.

Tim again thanked Diane and Rory for participating in the interview panel. He said Chuck is on probationary appointment until June.

John asked Tim about Council appointments. Tim said the Governor has a list of candidates. Council staff has requested that new Council members be named before January 13. John noted that until new members are named, current members serve.

Diane said she has talked to Tim about holding informational meetings with fire service personnel to ensure consistent application of the nightclub/sprinkler issue. She asked Tim if he's established a timeline for such education. Tim answered not yet. He has received a specific request from an ICBO chapter to provide training. Tim offered to call Diane on Monday about coordinating that education.

John said a recurring issue that he recently met with the Department of Labor and Industries (L&I) about is elevator machine room ventilation and the venting of hoistways. This has been a controversial issue between mechanical engineers, installers, elevator manufacturers and inspectors at L&I. A special ad hoc group is planned to review IBC Chapter 30. John advised the Council that this issue will appear in the work plan of a Council TAG.

Tim offered to assist Council members with their travel arrangements to the December 15 Boards & Commissions Executive Commissioner Conference. Governor Christine Gregoire called this conference to assist Council members in serving as her representative to the citizens of Washington State. Two specifics to be addressed at the conference are operating principles and a code of ethics.

Tim said he's received a request from Sandra Romero to participate in cosponsoring a conference on historic buildings in the Vancouver area. He said he indicated to her that the Council is willing to do so. John agreed that's appropriate. He asked for a tentative date. Tim said a date isn't yet known, since the conference is still in the early planning stages.

## **ADJOURNMENT**

Lacking further business, John adjourned the conference call at 1:35 p.m.